

David J. Jordan (#1751)  
*djjordan@stoel.com*  
David L. Mortensen (#8242)  
*dlmortensen@stoel.com*  
Monica S. Call (#11361)  
*mscall@stoel.com*  
STOEL RIVES LLP  
201 S Main Street, Suite 1100  
Salt Lake City, UT 84111  
Telephone: (801) 328-3131

Attorneys for Plaintiff  
GAGE, Inc.

IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF UTAH, CENTRAL DIVISION

GAGE, INC., a Utah corporation,  
  
Plaintiff,

v.

BIOCONVERSION TECHNOLOGY,  
LLC, a Colorado limited liability company;  
ROBERT E. KLEPPER, an individual;  
KENNETH L. KLEPPER, an individual;  
RANGE FUELS, INC. f/k/a KERGY,  
INC., a Delaware corporation; KHOSLA  
VENTURES, LLC, a Delaware limited  
liability corporation; VINOD KHOSLA, an  
individual; and JOHN DOES 1 through 10,

Defendants.

---

BIOCONVERSION TECHNOLOGY,  
LLC, a Colorado limited liability company;

Counterclaimant,

v.

GAGE, INC., a Utah corporation,

Counterclaim Defendant.

**ORDER GRANTING UNOPPOSED  
MOTION TO CONSOLIDATE**

Case No.: 2:08CV00057DB

Judge Dee Benson

This matter comes before this Court on GAGE, Inc.'s Unopposed Motion to Consolidate pursuant to Rule 42(a) of the Federal Rules of Civil Procedure. After being fully informed in the matter, and for other good cause appearing:

IT IS HEREBY ORDERED that civil case 2:09-cv-00031-DB is consolidated with the above-captioned case, civil case 2:08-cv-00057-DB for all purposes, including resolution of post-judgment issues.

IT IS FURTHER ORDERED that all papers filed with the Court following this consolidation order shall bear Civil Case No. 2:08-cv-00057-DB (Consolidated).

IT IS SO ORDERED.

DATED this \_\_\_\_ day of \_\_\_\_\_, 2009.

---

THE HONORABLE JUDGE DEE BENSON  
DISTRICT COURT JUDGE

**CERTIFICATE OF SERVICE**

I hereby certify that on this 30th day of November 2009, I served a copy of the foregoing **ORDER GRANTING UNOPPOSED MOTION TO CONSOLIDATE** upon the following by ECF notification:

Milo Steven Marsden  
DORSEY & WHITNEY LLP  
136 South Main Street, Suite 1000  
Salt Lake City, Utah 84101-1655

R. Willis Orton  
Christopher S. Hill  
KIRTON MCCONKIE  
1800 Eagle Gate Tower  
60 East South Temple  
PO Box 45120  
Salt Lake City, Utah 84145

Chad T. Nitta  
KUTAK ROCK LLP  
1801 California St. Ste. 3100  
Denver, CO 80202

Mark D. Flanagan  
Nathan L. Walker  
WILMER CUTLER PICKERING  
HALE AND DORR LLP  
1117 S. California Avenue  
Palo Alto, California 94304

/s/ Ann-Marie Liddell